

CHAPTER II

***ASSESSMENT OF THE CURRENT AUTOMATION OF THE NEW
HAMPSHIRE CRIMINAL JUSTICE INFORMATION SYSTEM***

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In this chapter, we present a detailed review of the current automation of individual criminal justice agencies and the courts in New Hampshire, including an assessment of automated and manual interfaces among the different criminal justice entities. For each agency and the courts, we identify functions that are automated, partially automated or manual in nature. We also assess the limitations of current automated and manual procedures in terms of the efficiency of criminal justice agencies and the courts in carrying out their respective roles. The material in this chapter was compiled through a series of interviews and site visits conducted during Phase I of the project.

The chapter includes separate sections on the following components of the New Hampshire criminal justice system:

- o the Department of Safety's Central Repository for Criminal Records;
- o the Judicial Branch;
- o law enforcement agencies; and
- o the Department of Corrections.

A. DEPARTMENT OF SAFETY CENTRAL REPOSITORY FOR CRIMINAL RECORDS

The Department of Safety's Division of State Police is the official Central Repository (CR) of criminal history information in New Hampshire. By statute, the Central Repository is responsible for maintaining "criminal history record information," which includes information collected by criminal justice agencies consisting of descriptions and notations of arrests, detentions, indictments, informations or other formal criminal charges, and any dispositions, sentences, correctional supervision and release.

1. CURRENT AUTOMATION OF THE CENTRAL REPOSITORY

The CR has its own BULL mini-computer and a total of eight terminals linked to the mainframe. The system operates on the UNIX operating system and uses the ORACLE database management software.

The automated criminal history record information (CHRI) database consists of three major files that provide real-time on-line update and inquiry capability.

- o The MASTER file containing criminal record information on persons who have been arrested and whose fingerprints have been forwarded to the State Police by local arresting agencies. This file contains basic identifying information about each individual.
- o The ARREST file contains information on each arrest event, including the criminal history of each individual. This file also includes disposition information, which is entered when dispositions are sent by the courts.
- o The AKA file contains alias information on individuals.

2. INTERFACES BETWEEN THE CENTRAL REPOSITORY AND OTHER CRIMINAL JUSTICE ENTITIES

The primary manual and automated interfaces between the Central Repository and other criminal justice entities are described below.

2.1 Interface with Local Law Enforcement Agencies

The Central Repository receives information on criminal incidents and arrests from local law enforcement agencies, and provides criminal records information back to these agencies. The transmittal of information from the local law enforcement agencies to the CR is largely manual. However, under the NIBRS initiative, efforts are underway to automate the transmittal of selected data on criminal incidents and arrests for federal reporting purposes.

2.1.1 Transmittal of Information from Local Law Enforcement Agencies to the Central Repository

The CR receives the DSSP Fingerprint Cards from local arresting agencies through the regular mail. They come in with the FBI Fingerprint Cards (FD-249). The FBI cards are not retained by the CR but (after the CR is updated) are transmitted directly to the FBI for inclusion in the NCIC records.

The CR also receives the Final Disposition Report for all felonies and misdemeanors. These reports are sent immediately to the FBI, where they are used to update the NCIC records. The Final Disposition Reports are sent in by the local police departments, but they are filled out only after the disposition information is obtained from the courts.

When a new fingerprint card arrives, the clerical staff conduct an immediate inquiry on the name and date of birth to determine whether there is already a record for the defendant. The system automatically assigns a new State ID (SID) number to those cases that do not have an existing number. The CR staff key enters the data from the card onto the CR's automated system. The Tracking Number (TN) on the card is also key entered.

The fingerprint card is then filed. In addition, the fingerprint clerks conduct a search of the fingerprint files to determine whether the arrestee may have an existing card under an alias.

Most of the fingerprint cards received from local police departments are complete. However, if information or signatures are missing, the cards have to be mailed back to the police department. The CR has asked each arresting agency to send in the fingerprint cards once per week. However, many of the smaller towns send in the cards once per month.

One of the problems faced by the CR is that a large percentage of arrestees are not fingerprinted by the arresting agencies. The limitations of the current procedures have been documented by MAXIMUS in our Baseline Audit Report, which was submitted to New Hampshire in December 1994.^{1/} During the Baseline Audit, we found that there is often little consistency among, or even within, police departments as to what types of crimes

^{1/} New Hampshire CJIS Baseline Audit, MAXIMUS, Inc., December 1994.

require fingerprinting. Some departments require fingerprinting for all arrests (including violations), others just for felonies, while still other departments require fingerprints for just felonies and misdemeanors. Some departments leave the decision to the individual officers.

In cases where the arresting agency does not fingerprint the arrestee, the FBI cannot be notified of the arrest and there is no record of the arrest on the CHRI database. In addition, there is no tracking number (TN) for following the case through to disposition. The TNs are designed for use in tracking cases through the courts. This enables cases to be tracked even if a charge is reduced.

When the disposition information is subsequently received from the courts, the Central Repository staff conduct a search of the database to match the disposition with the arrest. However, because of the large percentage of cases where the arrestee has not been fingerprinted, **no record of an arrest can be found for a substantial percentage of the dispositions.**

When a disposition is received from the courts and there is no fingerprint card for the arrest, the Central Repository cannot create an arrest record, so there will never be complete arrest information for the case. The Central Repository staff have been instructed to maintain information on the arresting agency in these cases, if this can be determined from the disposition reports. In addition, the local police departments do maintain their own arrest records even if they do not fingerprint all arrestees. However, the current procedures make it difficult to maintain the integrity and completeness of the criminal history records information at the Central Repository. As we noted in our Baseline Audit Report:

"A significant amount of the missing data is the direct result of not fingerprinting suspects as soon as they enter the criminal justice process. If fingerprints are not taken and a tracking number is not assigned, it is impossible to link arrest and subsequent disposition data positively for criminal history purposes. From the standpoint of the criminal history records system, it is as if the arrest never occurred."^{2/}

^{2/}

New Hampshire CJIS Baseline Audit, MAXIMUS, Inc., page II-20.

Another problem is time lags in the submittal of the fingerprint cards to the Central Repository. The MAXIMUS Baseline Audit found that 10 percent of small police departments took longer than one month to submit fingerprint cards to the Central Repository and that 9 percent of mid-size departments took longer than a month.^{3/} The problem of time lags can be significant in the case of arresting agencies which have to rely on outside booking stations. For example, the State Police Troops often have to book arrestees at a county jail or local police department because of driving distances. In these cases, the fingerprint cards, the Incident Report, the Arrest Report, and other paperwork still have to be processed at the Troop. This can cause time lags of several weeks in the processing of the fingerprint cards.

To ensure that the CJIS system has maximum impact in improving the integrity and completeness of the criminal history record information, our Baseline Audit Report recommended that legislation be enacted to allow the courts to reject case filings without the fingerprint Tracking Number and to provide for post-conviction fingerprinting of summons and indictment cases. We also recommended that training be provided to local arresting agencies for local police to reinforce policies and procedures for fingerprinting and use of the Tracking Number.^{4/}

The local arresting agencies also transmit data on criminal incidents and arrests for the FBI uniform crime reporting (UCR) system. These reports have traditionally been sent in hard copy aggregate form. The Department of Safety, however, is in the process of implementing the automated National Incident Based Reporting System (NIBRS). Approximately 120 local police departments will be participating in this system. The system will run on PC Oracle software at agencies which do not have their own automated systems or which are not tied into other systems. These departments have been given the format for file transfers to an ASCII file. Submittal of data to the Central Repository will be conducted by direct download via modem (the preferred system) or by floppy disk.

^{3/} New Hampshire CJIS Baseline Audit, MAXIMUS, Inc., page II-22.

^{4/} New Hampshire CJIS Baseline Audit, MAXIMUS, Inc., page III-3

2.1.2 Transmittal of Information from the Central Repository to Local Law Enforcement Agencies

Most full-time local police departments and most of the sheriffs now have SPOTS terminals for use in accessing criminal records. The SPOTS terminals can be used to access New Hampshire criminal records, NCIC records, Triple III, motor vehicle records, and warrants, based on specific function keys. The introduction of the SPOTS terminals has considerably reduced the workload of the CR. Local police departments also use the SPOTS terminals to request certified criminal records on applicants for jobs.

2.2 Interface with the Courts

There is no automated interface between the courts and the CR. The District Courts and Superior Courts are required to transmit disposition data to the CR. The information is transmitted manually in the form of the Complaint/Disposition Forms (see the Appendix). The front side of the Complaint provides details of the offense and the name of the defendant, while the other side of the Complaint contains details on the disposition, including the docket number, the plea, the finding (guilty/not guilty/dismissed), the sentence, and any probation or parole terms.

The disposition data are key entered by the CR staff onto the CR automated system, including the pleas, the findings, and the sentences. The staff conduct a search using the offender's name in the fingerprint files. **However, it was estimated that, for a substantial percentage of the dispositions, no record of an arrest can be found for the case.**

When a disposition is received from the courts and there is no fingerprint card for the arrest, the CR cannot create an arrest record, so there will never be complete arrest information for the case. However, the CR staff have been instructed to maintain information on the arresting agency in these cases, if this can be determined from the disposition reports. In addition, the local police departments do maintain their own arrest records even if they do not fingerprint all arrestees.

The CR receives dispositions from the courts every day. **However, many of the dispositions can be up to three weeks old when they are received.** In addition, the

Baseline Audit revealed that about 10 percent of dispositions are not received by the Central Repository within one month after the disposition of the case by the courts.

The survey results from the Baseline Audit also indicated a significant discrepancy between the number of cases filed each month and the number of dispositions submitted to the Central Repository, especially from the District Courts. The main reason for disposition data not being forwarded to the Central Repository is that a large number of court clerk offices do not send disposition data to the Repository for nolle prosequi and dismissed cases. It was also found that a certain percentage of dispositions are simply lost while being sent to the Central Repository.

The CR also receives notification of all probation and parole violations from the Superior Courts. These arrive by mail.

The courts do not typically request criminal records, because this function is the responsibility of the local prosecutors and Probation Officers. Currently, only the Rockingham County courts and the Plymouth District Court have SPOTS terminals, although work has been undertaken to have the rest of the courts tied into SPOTS.

2.3 Interface with Prosecutors

There is no automated interface between the Central Repository and the county or city prosecutors. Each county attorney and city attorney sends in the names of defendants for whom they wish to obtain certified criminal records. Each name is written on a form letter, which also includes the trial date. None of the county or city attorneys has SPOTS terminals for accessing the CR records, except for Rockingham County.

When a criminal records search is conducted for a local prosecutor, the CR does not conduct a search of the NCIC or other states because this is too time-consuming. The searches are conducted only on the New Hampshire criminal records. Prosecutors have to access a SPOTS terminal at a local police department or sheriff's office to obtain data from the NCIC records.

Since the records requested by the prosecutors have to be certified, the CR staff put a stamp on the record and attach it to the form letter. The records are then mailed out. Certified records are not required by statute, but the judges typically require the records to be certified. The turnaround time for processing the requests from the prosecutor is about two days, although the CR has up to five days to respond.

2.4 Interfaces with the Department of Corrections

The primary interfaces between the CR and the Department of Corrections are described below.

2.4.1 Interface with the State Prison

For new inmates, the State Prison sends the CR a set of fingerprint cards and a photograph, as well as a form indicating how long the inmate will be at the prison. The State Prison obtains fingerprints for all new inmates even if the fingerprints have already been obtained by the arresting agency and transmitted to the CR. The DOC fingerprint cards are placed in the offender's file by CR staff. The CR also receives fingerprint cards from several of the county jails.

2.4.2 Interface with the DOC Division of Field Services

The Department of Corrections has a SPOTS terminal at the central office of the Division of Field Services to conduct their own criminal record searches. This has greatly reduced the number of hard copy requests for criminal records. The Division of Field Services uses the SPOTS terminals to obtain information on behalf of its District Offices, which do not have SPOTS terminals. Criminal records are requested for a number of reasons, including:

- o Pre-Sentence Investigations (PSIs),
- o assigning supervision contact standards,
- o reviewing the possible early termination of probation/parole, and

- o obtaining information on offenders who have been transferred from other states.

To obtain the criminal records, the District Offices have to notify the central office through manual procedures to initiate a SPOTS search.

B. THE COURTS

This section presents an overview of the current automation of the courts, including plans for future automation. In addition, the existing interfaces (manual and automated) between the courts and the major criminal justice agencies are assessed.

The first section is based on interviews at the Administrative Office of the Courts (AOC). This section includes an overview of statewide automation of the District and Superior Courts. The remaining sections present information based on interviews conducted at the Concord District Court and the Merrimack County Superior Court.

1. ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

The Administrative Office of the Courts is a service agency that serves the 40 District Courts, 11 Superior Courts, two municipal courts, and 10 Probate Courts in New Hampshire. Each of the 10 counties has a Superior Court, except for Hillsborough County, which has two Superior Courts: North (located in Manchester) and South (located in Nashua). The two municipal courts will be closed when the current judges retire and are not included in the AOC's current automation plans.

The District Courts are responsible for all misdemeanor cases and violations. In addition, felony cases are initially arraigned in District Court except for grand jury indictments.

1.1 Current Automation of the Courts and Future Plans

The AOC is currently overseeing the statewide implementation of the SUSTAIN system in the District and Superior Courts. All of the 40 District Courts have already

implemented this system. In addition, four of the Superior Courts have implemented SUSTAIN: Coos, Carroll, Cheshire, and Sullivan counties.

The SUSTAIN system is a case management package marketed by Choice Information Systems of Newport News, Virginia. However, AOC has arranged for extensive customizing of the basic package. The system covers all of the standard court functions and information needs, including docketing, hearings, calendaring, event scheduling, information on the parties and charges, notifications of hearings and other events, addresses and letters, bail information, names of attorneys, court decisions and disposition data.

The system also generates management reports of aggregate-level statistics (such as the number of dispositions each quarter by case type). AOC is currently working on refining the management reporting components of the system.

A case is established on SUSTAIN on the basis of the hard copy Complaint received from arresting agencies or prosecutors. The system is then updated through other source documents and information, such as scheduled hearings, results of trials, guilty pleas, and other events.

The system includes civil as well as criminal cases. Court accounting is also tied into the SUSTAIN system. This includes tracking the payment of fines. The system was phased in beginning with pilots in 1987. The system had been installed in each District Court by 1993.

Each of the 40 District Courts has a PC-based LAN, with Novell Netware and WordPerfect 5.1. The PC LANS are not tied together. The number of PCs in each District Court varies according to staff size and caseload. The District Courts also differ in terms of the types of PCs they are using, depending on when they were installed. As PCs are replaced in the District Courts, the AOC is installing 486 PCs as its standard.

The seven Superior Courts that have not yet implemented SUSTAIN are currently using different types of hardware and software. Four of the courts -- Strafford, Rockingham, and Hillsborough North and South -- are using a home-grown docketing system that runs on Wang mini-computers. Belknap and Grafton Superior Courts are also running on Wang

mini-computers but are not using the docketing system of the other four courts. Merrimack County Superior Court has an HP 3000 mini-computer. All of this hardware and software will be phased out in the next one or two years as SUSTAIN is implemented.

At the Merrimack County Superior Court, the migration to the SUSTAIN system will be accomplished by the key entry of data, but it is unclear how much information will be converted on old cases. At the four courts using the Wang hardware, the conversion will involve extracting data electronically from the current system and converting it to SUSTAIN.

The implementation of the SUSTAIN system was initially bond-funded, but the system is currently supported through AOC operating funds. The AOC sees no need for any major additional equipment purchases at the courts that have implemented SUSTAIN, expect for upgrading the power of some of the existing PCs.

1.2 Interfaces Involving the Courts

The major interfaces involving the courts are assessed below.

1.2.1 Interface Between the AOC and the Courts

The only automated interface that currently exists between the AOC and the individual courts is a dial-up system that AOC uses for DP support. The District and Superior Courts do not have their own DP staff. The AOC handles all of the DP support for each of the courts, including diagnosing problems and emergency fixes. The AOC also does most of the software updates for SUSTAIN by sending diskettes of new versions. Emergency fixes are handled through dial-up. The AOC also maintains a Support Desk with a toll-free line for use by the courts. In addition, the AOC uses a hardware vendor for maintenance.

The AOC does not see a need for mainframe processing at the current time. Instead, the agency foresees all data processing being conducted through PC-based systems both at the individual courts and at the AOC itself. Eventually, the AOC would be interested in using the planned backbone telecommunications system as a way of linking the courts electronically. This approach will be much less expensive than the use of leased lines.

1.2.2 Interfaces Among the Courts

The SUSTAIN system itself does not provide any automated interfaces among the different District or Superior Courts. However, AOC is in the process of implementing a Wide Area Network (WAN) on a pilot basis this summer. Two of the District Courts (Plymouth and Concord) will be linked to AOC through the WAN, which will also include an E-mail component. The WAN will involve dedicated telephone lines and three routers, in contrast to the current dial-up system. The WAN will be used primarily for such purposes as E-mail and transmitting word processing documents.

Besides the WAN, however, tying the courts together electronically is further down on the list of AOC's priorities at the current time. For example, the WAN will not be used in the near term for transmitting case management information among the courts.

The Superior Courts are also interested in a WAN network, primarily to allow judges to communicate with each other. This type of network, however, will be very expensive unless it is based on the backbone system being planned by DAS/OITM.

At the current time, there is no automated interface between the District Courts and the Superior Courts, except that appeals from the District Courts to the Superior Courts can be recorded in the SUSTAIN systems of the respective courts. If a case is appealed from a District Court to a Superior Court, however, the case information has to be transferred manually.

1.2.3 Interfaces Between the Courts and the Central Repository of Criminal Records

This section provides an assessment of the current interfaces between the courts and the Central Repository.

1.2.3.1 Transmittal of Information from the Courts to the Central Repository

The primary interface between the courts and the Central Repository involves the transmittal of disposition information from the courts. This interface is currently manual for all courts.

In theory, the transmittal of disposition information could be done through the SUSTAIN system. SUSTAIN could be programmed to extract the information and send it electronically to the Central Repository and to other agencies, assuming that these other agencies developed the necessary programming code to receive the data.

The issue of telecommunications hardware, however, remains to be resolved. For cost reasons, the AOC would prefer to have the data transmitted through the proposed backbone system, depending on when this is available. In addition, the interface would have to be based on file transfers, not the keying of individual dispositions. On an interim basis, SPOTS terminals could be used to transmit disposition data electronically.

The SUSTAIN system is not currently being used to capture the Tracking Number (TN) from the Complaint, although it could be used for this purpose. In a large percentage of cases, the TN is not available because the arresting agency has not fingerprinted the arrestee. In cases where the arrestee has been fingerprinted, the TN is transcribed by the arresting agency onto the Complaint, which is then sent to the individual court by the arresting agency or prosecutor. However, the courts have been advised by AOC not to enter the TN on SUSTAIN. The reason for this is that nothing is currently being done to transmit SUSTAIN data electronically to other agencies, so it is superfluous to enter the TN number on the system. The courts would be willing to begin putting the TNs on their system if an electronic interface with the CR were to be implemented. The primary goal of the TNs is to help link arrests with dispositions even when a charge is changed or dropped. Currently, the courts send the dispositions, which include the TNs if the arrestee has been fingerprinted and if the TN has been transcribed onto the Complaint by the arresting agency. Although the courts would be happy to include the TNs on their automated system if an electronic link to the CR were developed, the courts do not wish to become the "gate" for the TN, in the sense of sending Complaints back to the arresting agency if a TN has not been transcribed.

If the TN were to be included in the SUSTAIN system, it would be necessary to address the issue of whether a separate TN would be assigned to each charge in a case or whether the same TN would be assigned to all charges involved in an individual case. This issue would have to be resolved with the Central Repository and local arresting agencies. The issue is important in cases where some charges are dropped or dismissed.

The only automated linkage that currently exists between the courts and the Central Repository is a pilot project in the Salem and Auburn District Courts, known as the **Electronic Bench Warrant System**. On a nightly basis, new bench warrants are transmitted electronically from the SUSTAIN system to the Central Repository to update the outstanding warrant files. This information is then available to local law enforcement agencies through the SPOTS terminals.

One problem in this area is that police officers have been trained not to make arrests only on the basis of what they see on a computer screen (because of liability issues). The AOC hopes to convince the arresting agencies that the judicial data are accurate. It is hoped that the Electronic Bench Warrant System will be expanded to all District Courts by the end of 1995. The AOC is also planning to expand the system to include restraining orders in domestic violence cases. The Central Repository is in the process of deciding on the specific types of data that might be transmitted on restraining orders. The orders will not be on the CR, but on SPOTS.

Except for the Salem and Auburn District Courts, the courts are not transmitting their warrants to the Central Repository. Instead, the warrants are sent manually only to the local law enforcement agencies within the jurisdiction of each District Court. There is no statewide dissemination of these warrants.

1.2.3.2 Transmittal of Information from the Central Repository to the Courts

The courts themselves do not routinely request any information from the Central Repository. It is up to the prosecutor, not the courts, to search the defendant's criminal records when investigating a case or preparing charges. It is also up to the police and prosecutors to review criminal records when making bail recommendations. Similarly, at the time of sentencing, it is the role of the Probation Officer to review the offender's criminal record when preparing a Pre-Sentence Investigation (PSI) for the court.

1.2.4 Interfaces Between the Courts and Law Enforcement Agencies

The major interfaces between the courts and local law enforcement agencies are described below.

1.2.4.1 Transmittal of Information from Law Enforcement Agencies to the Courts

In the courts that have implemented the SUSTAIN system, cases are set up on the SUSTAIN system on the basis of the Complaint documents. The Complaints are completed manually by local Police Departments, state troopers, and other arresting agencies. No electronic interface currently exists between the arresting agencies and the District Courts for the transmittal of complaint information. Any plans to develop an electronic interface would have to address the issue of common data element definitions. For example, the definition of "filing date" for a police department may be different from the courts' definition.

1.2.4.2 Transmittal of Information from the Courts to Law Enforcement Agencies

Currently, if a local police department wishes to find out about a disposition from the court, the officer has to show up at the hearing, call up by telephone, or wait for a manual notification. Police agencies do not have access to SUSTAIN for purposes of obtaining disposition or scheduling information, but this could be arranged on a "read-only basis." For example, local police departments could be given access to SUSTAIN to look up data on the dispositions of their arrests. This could be done initially on a dial-up basis, but would ideally be done through the proposed backbone system when operational. The local police departments and prosecutors could be given access to the backbone for this purpose. The police departments could also monitor SUSTAIN data to ensure that officers show up at court appearances to avoid cases being dismissed.

1.2.5 Interface Between the Courts and the Prosecutors/Public Defenders

The county attorneys and city prosecutors cannot access the SUSTAIN system at the current time. The prosecutors have to rely on the transmittal of manual forms to find out

about case dispositions from the courts. The public defenders do not currently have any automated interface with the courts or access to SUSTAIN.

1.2.6 Interface Between the Courts and the Department of Corrections and County Jails

The current interfaces with DOC and the county jails are completely manual. When an offender is convicted, the courts create a MITTIMUS that defines the sentence. The State Prison and local jails will not accept a prisoner without this paperwork. The State Prison and county jails have no access to the SUSTAIN system.

The courts, in turn, do not typically request information from DOC. It is up to the prosecutor or arresting agencies to obtain information about the defendant's parole or probation status.

1.3 DATA CONFIDENTIALITY ISSUES

The release of information on juveniles is subject to restrictions under state law. Juvenile dispositions can be shared with criminal justice agencies, but on a restricted basis. Prior dispositions in juvenile cases can be shared with law enforcement agencies, but a motion must be filed with the judge. Juvenile cases are kept separate on the SUSTAIN system. The CR does not have any juvenile records in its system. Other situations which must be kept confidential include:

- o cases where a conviction has been annulled based on a petition by the defendant,
- o secret indictments, and
- o sealed search warrants.

Any proposals to develop automated interfaces between the courts and other agencies would have to address this issue.

2. CASE STUDY: THE CONCORD DISTRICT COURT

To provide further illustration of the current automation of the courts, this section provides a brief review of automation in one of the District Courts -- the Concord District Court.

2.1 Current Automation

The Concord District Court has already implemented the SUSTAIN system. Cases are entered on the SUSTAIN system after the court receives the Complaint. The clerical staff date stamp the Complaint, assign a docket number, and enter the case on the system. This process also includes motor vehicle violations. The SUSTAIN system automatically produces notices of hearings. However, the SUSTAIN system has not been programmed to print copies of the Complaints, including the disposition information on the back of the Complaint.

2.2 Interfaces with Criminal Justice Agencies

Interfaces between the District Court and other entities are handled entirely through paper-based manual procedures, rather than through automation. The primary interfaces are described below.

2.2.1 Interface with Law Enforcement Agencies

All felonies and misdemeanors are arraigned at the District Court, except for the "direct indictment" felonies which are brought before the grand jury. The Concord Police Department uses the city prosecutor for all felonies and misdemeanors. Accordingly, the criminal Complaints prepared by the Concord Police Department are actually taken to the City Prosecutor before they arrive at District Court. The City Prosecutor enters the arraignment date on the Complaint, and this is subsequently entered on the SUSTAIN system. If the arrest is made by the state police, however, the case is prosecuted by the state police, not by the city prosecutor.

Most of the other local police departments prosecute their own cases. In these cases, the Complaints are filed directly with the District Court, and the arresting officer presents the Complaint at the arraignment.

Defendants are given an arraignment date when they are arrested. In the majority of misdemeanor cases, the defendant is released on bail or personal recognizance pending the arraignment. If the defendant fails to appear, a bench warrant will be issued. The arresting agency is notified of the bench warrant through the transmittal of a bench warrant form. The bench warrant is also entered on the SUSTAIN system.

2.2.2 Interface with the Central Repository

If the defendant pleads guilty at arraignment, the back page (Abstract) of the Complaint is completed and sent to the Central Repository. If a not guilty plea is entered, the Complaint is not sent to the Central Repository until final disposition. The front side of the Complaint form provides the CR with information on the offender and the offense. The SUSTAIN system does not print the dispositions for transmittal to the Central Repository.

In motor vehicle cases, the District Court will often default defendants who fail to appear at arraignment and will send this disposition to the CR. In criminal cases, however, the CR is not notified that a bench warrant has been issued because a bench warrant is not a disposition.

2.2.3 Interface with the Superior Court/County Attorney

If probable cause for a felony is determined by the District Court at a probable cause hearing following arraignment, the case is sent to the Superior Court, which then sends the case to the County Attorney. The case is then arraigned at Superior Court. The case file is transmitted to the County Attorney for this purpose.

In the event of an appeal from the District Court, the clerical staff make certified copies of the case file and send it to the Superior Court by mail. This includes copies of all the motions, exhibits, bail bonds, and other key documents.

2.2.4 Interface with the Public Defender

A large number of District Court cases involve public defenders. The defendants who request a court-appointed attorney are required to complete a financial affidavit. This is reviewed by the District Court staff. If the defendant qualifies, the staff fill out a form and prepare a copy for the Public Defender's Office, as well as a copy of the financial affidavit. The Public Defender's Office sends a staff person to the District Court every day to pick up the folder of cases.

2.2.5 Interface with the County Jail

The District Court prepares an Adult Order of Commitment when an offender is sentenced to serve time in the county jail. The sentence is also recorded on the back of the Complaint. The county jail does not usually request any additional follow-up information on offenders after they have been incarcerated. However, if the offender is sentenced to serve weekends only, the jail will contact the District Court if the offender does not show up.

2.2.6 Interface with the Department of Corrections

This interface is entirely manual. Prior to sentencing, the Court has to notify the DOC's Division of Field Services if a Pre-Sentence Investigation is required. If the offender is sentenced to probation, the District Court sends the Division of Field Services a copy of the Complaint and Abstract and other relevant documents. The Division of Field Services then sets up its own file for the case.

3. CASE STUDY: THE MERRIMACK COUNTY SUPERIOR COURT

MAXIMUS conducted site visits to the Merrimack County Superior Court to examine the procedures and interfaces currently in place.

3.1 Current Automation

The Merrimack County Superior Court currently has a HP mini-computer but will eventually be migrating to SUSTAIN. Cases are entered onto the system after the court

receives a grand jury indictment from the county attorney or after a felony case is referred following a District Court arraignment. Pre-trial motions and other events are added to the system as the case proceeds. A docket number is assigned, but the court does not enter the Tracking Number (TN) on its system for reasons described previously in Section 2.3.1 of this chapter.

The system is also used to enter calendaring information. Trial dates are currently running about four months after arraignments. In the interim, the attorneys file motions and pleas, which are also captured on the automated system. The system includes an automated tickler to provide notification of hearing dates and trial dates. The system also supports word processing.

The court does not have its own DP staff but relies upon the AOC for DP support.

3.2 Interfaces with the Major Criminal Justice Agencies

The existing interfaces between the Merrimack County Superior Court and other entities are described below.

3.2.1 Interface with the Central Repository

If a case has previously been arraigned in District Court, the District Court docket number is placed on the disposition form before it is sent to the CR by the Superior Court. This is designed to help the CR distinguish between multiple arrest charges for the same offender.

The disposition information for each case is sent manually to the CR on the "Return from Superior Court." This document is produced from the court's word processing system, but is not totally computer-generated. The clerical staff have to type in the docket number, the name and date of birth of the offender, and other information unique to each case. It is expected that the SUSTAIN system will generate the forms automatically when implemented.

There is an elapsed time of two weeks in sending the disposition information to the Central Repository. The court frequently receives telephone calls from the CR

inquiring whether disposition information is available on arrest cases. The court also sends hard copy notices to the CR of acquittals, dismissals, and amendments to sentences. All other parties also receive these notices.

The Superior Court does not notify the CR of warrants for failure to appear. Instead, the sheriff's office is notified manually, and the sheriff's staff are responsible for entering the warrants onto the NCIC system. The sheriff receives three copies of each warrant.

3.2.2 Interface with the County Attorney

The County Attorney prosecutes all felony cases at the Superior Court. These include grand jury indictments as well as felonies that have been arraigned in District Court. In grand jury cases, the Superior Court arraignment is the reading of the indictment. Bail decisions and appointment of counsel are handled at the arraignment.

If a bail hearing is requested by the County Attorney or the Public Defender, the court staff update their automated system to reflect the bail hearing, including information on the financial affidavit and the bail bond. Following arraignment, the court staff also update their system with the names of counsel, the jury selection date, the pre-trial hearing dates, case continuances, and other information.

The court sends a manual copy of the "Return from Superior Court" (disposition) to the County Attorney, which then sends a copy to the arresting agency. If the Sheriff's Department is the arresting agency, the Return from Superior Court is sent directly to the Sheriff.

3.2.3 Interface with the Public Defender

The majority of cases filed at the Superior Court involve a public defender. The attorneys from the Public Defender's Office appear for all of the arraignments. The public defenders are provided with a hard copy list of scheduled arraignments at least one day before the arraignments are scheduled.

3.2.4 Interface with the District Courts

It was estimated that the Superior Court receives 5 to 15 appeals each month from the District Courts in the county. These cases are referred to the County Attorney. Following the disposition of the case, the Superior Court sends the District Court a hard copy Return from Superior Court to notify the District Court of the disposition.

The Superior Court is also notified of "bindover" cases by the District Court. These are cases that are bound over to the County Attorney for a possible grand jury indictment after being initially filed in District Court. If the County Attorney decides not to present the case to the grand jury, the Superior Court does not receive an indictment. The County Attorney, however, does not notify the Superior Court of bindover cases that are not presented to the grand jury, so that the Superior Court does not always know whether to close the cases.

3.2.5 Interface with Law Enforcement Agencies

The Superior Court does not receive any cases directly from local arresting agencies. However, the local police departments request search warrants from the Superior Court.

3.2.6 Interface with the DOC Division of Field Services

In the event of a conviction by plea or trial, a request for a Pre-Sentence Investigation report is triggered. This is sent manually to the local District Office of the Division of Field Services, which has between 30 and 45 days to prepare the report. Only the basic case information is transmitted. The Probation Officer interviews the defendant to obtain additional information and conducts a criminal records search.

3.2.7 Interface with the State Prison

If a Superior Court defendant is sentenced to state prison, the court sends the prison a hard copy of the Return from Superior Court, together with a copy of the indictment and the Pre-Sentence Investigation.

C. LAW ENFORCEMENT AGENCIES

Law enforcement agencies in New Hampshire consist of three primary types. First, there are 107 municipal police departments responsible for law enforcement in specific towns. Many of the smaller police departments, however, do their bookings and fingerprinting at the county jails.

Second, there are 10 county sheriff's departments. The primary functions of the sheriffs (who are elected every two years) include:

- o carrying out arrest orders from the Superior Courts -- if a person has been indicted and does not appear in court, an Order of Arrest is issued;
- o prisoner transportation and court security;
- o front line law enforcement in towns with more than 3,000 residents which do not have their own local police departments; and
- o service of civil process.

The sheriff's departments do not have a patrol function but may carry out criminal investigations.

Third, there are six state police Troops. By law, the state police can only go into towns with populations of less than 3,000 residents unless invited in by the local Police Department. The state police are also responsible for law enforcement on state highways.

To illustrate the current automation and interfaces of state and local law enforcement agencies, this section presents an assessment of the automation and interfaces of four law enforcement agencies that were visited by MAXIMUS during the project. These include:

- o Concord Police Department,
- o Manchester Police Department,
- o Merrimack County Sheriff's Department, and
- o State Police Troop C at Keene.

1. CONCORD POLICE DEPARTMENT

This section presents an assessment of the automation and current interfaces of the Concord Police Department.

1.1 Current Automation

The Concord Police Department has a mid-size computer with a number of workstations, but the system does not comprise a network. The system operates on UNIX. The department purchased a canned software package from a Massachusetts software vendor. This software allows for on-line booking but the department does not use this module.

The computer system is used to capture information from the arrest reports, incident reports, and to log in all calls for service. Lists of stolen vehicles and wanted persons are also entered on the system. The department also has its own computerized warrant system.

1.2 Interfaces with Other Criminal Justice Agencies and the Courts

The primary interfaces between the police department and other agencies are manual, as described below. However, the department has recently developed procedures for participating in the automated reporting of criminal incident data for NIBRS.

1.2.1 Interface with the Central Repository

It is the department's policy to fingerprint all persons arrested for felonies and misdemeanors. The Tracking Number is transcribed from the fingerprint card to the Arrest Report and is then typed onto the Complaint. However, the TN does show up on the department's computer system, but it is not used. The department also uses its own system of case numbers, which are typed onto the Complaints.

The department uses the state Uniform Arrest Report for all arrests. The department is also involved in the new NIBRS system and has added all of the FBI-required fields to its computer system (the shaded sections of the arrest and incident forms). The department received funds to change its software to support the new system. The state provided the

department with a list of acceptable vendors for NIBRS software. The department selected the vendor that developed its overall computer system. However, the central repository cannot yet accept the department's NIBRS data because of computer problems.

Currently, the department produces aggregate NIBRS data from its computer system and sends the data in hard copy form to the CR. Eventually, the plan is to have the department send the data electronically through the SPOTS terminals.

The department has two SPOTS terminals for conducting criminal records checks, and for conducting wanted persons checks and vehicle/license checks. A criminal records check is conducted during the booking process by the on-duty dispatcher. Criminal records checks are also conducted for investigations, bail hearings, and hiring decisions.

1.2.2 Interface with the Prosecutors

The referral of criminal cases for prosecution is handled through manual procedures. After the Arrest Report is completed, the white copy is filed by the department, and the yellow copy is used by a clerk to type the Complaint. All four copies of the Complaint are sent to the city attorney (misdemeanors and violations) or county attorney (felonies). The Complaint is accompanied by the yellow copy of the Arrest Report. A copy of the Complaint is also made for the Department's files. The department maintains a handwritten log of Complaints for tracking purposes.

The prosecutor keeps the yellow copy of the Complaint. The department gets back one copy of the Complaint after the case is disposed. Motor vehicle complaints are sent directly to the clerks of court.

The department has had discussions with the City Prosecutor about a modem link to transmit disposition information. The City Prosecutor has its own automated system.

1.2.3 Interface with the Courts

In the case of felony arrests, the typical procedure is for the defendant to be arraigned in District Court the following day and for a bail hearing to be conducted. A probable cause

hearing is then scheduled, usually 2-3 weeks later. However, the probable cause hearing is often waived because a grand jury indictment is typically obtained in the interim. The case is then arraigned in Superior Court and another bail hearing is conducted. The District Court will not accept a guilty plea to a felony because the court cannot pass sentence. However, a District Court judge could dismiss a felony case at a probable cause hearing. After the case is arraigned in Superior Court, pre-trial motions are filed and a guilty plea can be entered.

The system of notifying the department of upcoming court hearings is manual. Every week, the District Court brings over a list of cases that are scheduled for trial, including the names of the officers who have to appear. These worksheets are then posted for the officers to consult. Officers are not required to appear for arraignments. For Superior Court, a police detective is assigned as the County Attorney liaison to assist in case preparation. This detective prepares lists of cases to notify officers when they have to appear at a trial.

The transmittal of information about court dispositions is a manual process which also involves the duplicate entry of disposition data onto multiple computer systems. The staff at the District Court hand-write the dispositions on copies of the worksheets that the officers consult to see if they have to go to court. Eventually, the District Court sends the department the yellow copies of the Complaints, which contain the disposition information on the back. There are often delays in receiving the disposition information from the courts. The District Court sends the Complaint forms to the department in boxes. It should be noted that there is no statutory requirement for the courts to notify local police departments of dispositions.

The department would prefer an automated procedure for the transmittal of disposition information from the District Court since the current processing of the disposition information is tedious. The larger problem is the disposition of property and evidence. The department is "bursting at the seams" with property and evidence because of the haphazard procedures for informing the department of the disposition of cases. A more uniform system would help the department to dispose of the property and evidence in a timely manner.

Manual procedures are also used to transmit disposition information from the Superior Court. The clerical staff at the court prepare a Disposition Sheet for each case. This includes the wording of the indictment and the disposition. The disposition information is then sent to the County Attorney by the Superior Court, and is entered onto the County Attorney's computer system. The department's liaison officer then picks up the disposition forms from the County Attorney's office and hand carries them to the department.

When the disposition information is received from the courts, it is entered onto the department's computer system. However, the department's system does not contain any space for narrative, so the only information that is entered on the system is basic information on names, findings, and disposition type. The department would prefer to be able to enter additional information on dispositions. Copies of the disposition forms are also placed in case records and are microfilmed after two years.

In the case of bench warrants that have been issued for arrestees who have failed to appear, the District Court sends the department a hard copy file of the cases if the department was the arresting agency. The warrants are then entered onto the department's computer system. Custody arrests, however, are not made on the basis of the computer data without first confirming with the District Court that the warrant is still current. The bench warrants are not entered onto the SPOTS system by the Concord District Court.

1.2.4 Interface with the Department of Corrections

The department's interface with DOC was said to be a problem because of the difficulty of getting access to information on the parole status of persons arrested by the department. During regular business hours, the department makes a telephone call to the Division of Field Services to determine if someone whom they have arrested is on parole. During non-business hours, the department may call the State Prison.

2. MANCHESTER POLICE DEPARTMENT

This section presents an overview of the current automation and interfaces of the Manchester Police Department.

2.1 Current Automation

The department has a UNISYS mid-range computer, which was initially acquired in 1988. The department has purchased a packaged software system from UNISYS known as "APLIMS." A number of dumb terminals and PCs are linked to the main computer.

Arrests are initiated on the system by entering data from the Uniform Arrest Report. The arresting officer completes the fingerprint cards and certain sections of the Arrest Report. The remaining sections are completed by a data entry clerk, who then keys the data onto the system. The system captures information on the offender, the arrest, bail conditions, restraining orders, trial dates, vehicle descriptors, warrants, citations and summonses, and warnings. Much of this information is automatically displayed by the department's CAD system to alert dispatchers.

The system is then updated to reflect dispositions from the courts. The system contains the booking number, an internal case number, the status of each charge (for example, pending court action), and court dates. The system modules include case management, crime analysis, warrants/citations, traffic accident analysis, evidence, and others. The department also maintains hard copy case files for all arrests.

The Department is reviewing the possibility of switching to either a PC-LAN or a UNIX box in less than one year, and new software may be acquired. However, the same data elements will be retained.

The department also has four SPOTS terminals connected to the Department of Safety.

2.2 Interfaces with Other Criminal Justice Agencies and the Courts

The primary interfaces between the Manchester Police Department and other criminal justice agencies and the courts are described below.

2.2.1 Interface with the Central Repository

The department's standard operating procedure is to fingerprint all persons arrested for felonies or misdemeanors. The Tracking Number (TN) is not entered onto the department's computer system. Instead, the system contains the booking number and the docket number. The fingerprint cards are transported to the Central Repository by an officer about two or three times per week.

The transmittal of criminal incident data to the Central Repository is conducted manually. The department's computer system has the capacity to produce UCR reports and the Department would like to send these reports to the Central Repository. However, the CR is not ready to accept them in their current form. (In addition, the Department was unable to obtain state funding to produce the required software). Instead, the department has to fill out the state's forms. The department has a full-time staff person assigned to completing criminal incident reports for all reported crimes. The department would like to transmit all of the data electronically to the CR when the NIBRS system is fully operational. The department has a NIBRS package on its current system, but it is not utilized. With the planned introduction of Mobile Display Terminals (MDTs), it is hoped that police officers may be completing their Incident reports electronically from their cruisers within the next few years.

2.2.2 Interface with the Prosecutors

For misdemeanor cases, the department refers cases to the city prosecutor for arraignment in District Court. The City Prosecutor and County Attorney are sent typed copies of the Complaint, together with the department's documentation on each case, so that they can prepare the prosecution. There is no automated interface with the prosecutors.

2.2.3 Interface with the Courts

The interface with the courts is completely manual. The disposition information is transmitted to the department in the form of the Complaint abstracts. The information from

the abstracts is then key entered onto the department's computer system. This includes the dispositions for each charge.

2.2.4 Interface with the Department of Corrections

The central office of the Division of Field Services sends the department a monthly list of new parolees who are under intensive supervision. The lists include the name and address of the offender, identifying characteristics, employment data, the name of the Probation/Parole Officer, parole/probation conditions (for example, curfews, no driving, or no alcohol), expiration date, and other items. The data is then keyed into the department's computer system. The list does not include parolees who are not under intensive supervision.

The data on parolees is automatically transferred into the department's CAD system. When the dispatcher receives a service call and enters the name or address of a person who is under intensive supervision, the CAD system automatically notifies the dispatcher of the person's status.

3. MERRIMACK COUNTY SHERIFF'S DEPARTMENT

The current automation and interfaces of the Merrimack County Sheriff's Department are described below.

3.1 Current Automation

The sheriff's department implemented an automated system about two years ago. The system is a standard package that was adopted from another county with modifications. In criminal cases, the system is used to enter data on persons arrested and on the dispositions of the arrests. The system also supports the department's dispatch operation.

The hardware for the system includes a large PC and seven workstations. The system is not networked with any other agency, although the department would like to be able to network with the courts, the County Attorney, the county jail and the State Prison.

3.2 Interfaces with Other Criminal Justice Agencies and the Courts

The primary interfaces between the sheriff's department and other criminal justice agencies and the courts are described below.

3.2.1 Interface with the Central Repository

The Merrimack County Jail does almost all of the sheriff's department's bookings, including the fingerprinting, the completion of the fingerprint cards, and the transmittal of the cards to the Central Repository. The sheriff's department is given extra copies of the fingerprint cards for its own files.

Most of the arrestees are persons who have not shown up for Superior Court hearings after being indicted. Not all of these defendants have been previously arrested because the indictment may have been secret or may have resulted from an investigation rather than an arrest. In the latter type of case, the defendant will have been given an opportunity by the Superior Court to appear without first being arrested. The sheriff enters the name of the defendant into the NCIC if they do not appear in response to the Superior Court notice of indictment.

The sheriff's department has two SPOTS terminals for running criminal records checks. One of the SPOTS terminals is used to support the sheriff's 24-hour dispatch operation. The department dispatches for 14 towns in the county.

The department updates the NCIC warrants once per year. The department is attempting to develop a system for determining when warrants become stale and should be quashed. At the current time, the department has about 250 criminal warrants.

The sheriff's department maintains an Arrest Log showing the date of each arrest. The arresting officer also completes the UCR Arrest Report. The department is not yet transmitting arrest data electronically for the NIBRS system.

3.2.2 Interface with the Prosecutor

The sheriff's office receives the arrest warrants from the court in cases where the defendant has failed to appear in Superior Court. These are manually transmitted.

When an arrest is made by the sheriff, the arresting officer does not usually fill out a Complaint. Instead, the County Attorney's Office issues an indictment that goes before the grand jury.

3.2.3 Interface with the Courts

The current interfaces are manual. The arrest warrants are prepared by the Superior Court. They used to be called capiases but are now known as "Orders of Arrest." They are sent in hard copy form by the Superior Court.

Information from the arrest warrant is key entered onto the department's computer system (such as the name, date of birth, and the offense). Copies of the warrant are made and the warrant is filed alphabetically. The Deputy assigned to the case is given a manila folder with a copy of the warrant. A NCIC check is done at this time, and a red sticker is placed on the file folder of any person who is placed in NCIC.

The first step in enforcing the warrants usually involves visiting the defendant's home address if available. The deputy keeps an activity log in the manila folder, including efforts to make the arrest, NCIC checks, and actual arrests.

At the time of disposition, the Superior Court sends the sheriff the hard copy Complaint/Disposition forms. The department receives dispositions on all criminal cases in the county, not only the cases for which the department has made the arrest. The clerical staff reviews the dispositions to identify those cases where the department made the arrest. These dispositions are then key entered onto the department's computer system and also placed in hard copy files. The dispositions that are not the department's cases are discarded.

With regard to prisoner transportation, the department receives hard copy transportation orders from the Superior Court and the District Courts whenever a hearing or trial is scheduled. Most of the defendants are housed at the county jail. The jail provides

the department with a regular hard copy list of current inmates. The department reviews this list whenever they receive a transportation order from the court, and then contacts the jail by telephone to notify the jail of the transportation order.

3.2.4 Interface with the County Jail and State Prison

When the deputy makes an arrest, the defendant is booked at the county jail, and the jail is given a hard copy of the Arrest Order and Indictment. The jail has automated its operations in the last two months. The sheriff's department has the capacity to network with the jail and obtain access to the jail's booking list and roster of inmates. The department would like to obtain on-line access to the jail's inmate data to facilitate the prisoner transportation function. Currently, the department has to call the jail to verify that an inmate is being held.

The department also transports a large number of inmates from the State Prison for court hearings and trials at the Superior and District Courts. The department's interface with the prison is manual.

4. STATE POLICE TROOP C AT KEENE

Troop C's jurisdiction includes the counties of Cheshire and Sullivan. By law, the Troop does not have jurisdiction in towns that have population of more than 3,000 and that have full-time police departments. The Troop mostly covers the smaller towns with part-time police departments, as well as state highways. In addition, the Troop covers towns that do not have police departments.

4.1 Current Automation

The Troop has an automated system based on an IBEX SP 500. The computer is connected to the Central Repository by modem link. This link was established under the NIBRS initiative to allow for the electronic transmission of criminal incident and arrest data to Concord. However, the Troop has yet to transmit any NIBRS data. The Troop was planning to begin sending some of the data by diskette.

There is a time lag in the entry of criminal reports on the system because of other assignments. The secretary was currently working on entering data for late March and early April.

4.2 Interfaces with Other Criminal Justice Agencies and the Courts

The primary interfaces with other criminal justice agencies are described below.

4.2.1 Interface with the Central Repository

The Troop does not fingerprint all arrestees. All felony arrestees are fingerprinted, but many misdemeanor cases are not fingerprinted because of staff time limitations. DWI cases have never been fingerprinted by the Troop, even though the Keene PD fingerprints its own DWI cases.

Some arrestees are booked at the Troop but only if the arrest is made in the local area. If the arrest is made in a remote location (for example, Claremont), the booking will be conducted at the local PD in that area. Most of the arrests made by the Troop are actually booked at local PDs. The county jail (located in Westmoreland) is also used for booking.

If one of the Troop's arrests is booked at another location, the fingerprint cards, the Incident Report, the Arrest Report, and other paperwork still has to be processed at the Troop. This can cause time lags in the processing of the fingerprint cards.

The fingerprint cards are sent to Concord twice per week by courier. The cards are completed by the officer and clipped to the Arrest Report for processing by the Troop's secretary, who enters the data onto the computer system. The state card and the FBI card are sent immediately to Concord, and the Final Disposition Report (for felonies only) is sent after the Troop receives the disposition from the court.

The Supervising Sergeant reviews the fingerprint cards before they are sent to Concord. **There is a time lag of 10 days to three weeks in the shipment of the fingerprint cards to Concord.**

The Tracking Number (TN) is transcribed from the fingerprint card to the Arrest Report and is entered onto the computer system. The Arrest Report is not sent to Concord with the fingerprint cards, but the incident report data is sent by printout.

All of the local PDs in the Troop's jurisdiction, except for the Keene PD, have to go through the Troop to get access to the Central Repository through SPOTS. Keene PD has its own SPOTS terminal.

The troop has been participating in the NIBRS system for about one year. The clerical staff enter the required FBI data from the Incident Report (DSSP-10) onto the computer. This report has to be entered within 5 days of the crime being reported. The required data from the Arrest Report is then entered if an arrest is made. In addition, the required data from the Victim Supplement is entered (see Appendix).

4.2.2 Interfaces with the Prosecutors

In misdemeanor cases, the Troop does its own prosecutions at the District Courts. This includes cross-examination and presentation of charges. In felony cases, the arresting officer appears at the arraignment in District Court, where the case is set for a probable cause hearing, unless an indictment is handed down first. The Complaints and other documentation are transmitted manually to the County Attorney.

4.2.3 Interface with the Courts

In misdemeanor cases, the Complaints and other supporting documents are presented to the District Court at the time of arraignment. In felony cases, these materials are transmitted to the County Attorney for prosecution.

The Superior Court notifies the Troop of all dispositions through a computer printout. In the case of misdemeanors, the arresting officer is usually present at the District Court when the disposition occurs, so the officer writes down the disposition on a piece of paper.

The dispositions are subsequently entered onto the Troop's computer system by the secretary. The courts notify the Central Repository separately of the dispositions.

D. ATTORNEY GENERAL'S OFFICE AND COUNTY ATTORNEYS

This section presents an assessment of the current automation and interfaces of the Attorney General's Office and the County Attorneys.

1. ATTORNEY GENERAL'S OFFICE

The Attorney General's (AG's) Office is responsible for prosecuting all homicide cases and other felonies which carry a potential prison term of 25 years or more. The Attorney General's office also represents all state agencies in legal cases (the individual agencies do not have their own attorneys). The AG's Office has specialized prosecution units, including a Medicaid fraud unit, a white collar unit, and a drug prosecution unit. The AG represents the state in all appeals of criminal cases to the Supreme Court.

The Attorney General is the chief law enforcement officer in the state. While the AG does have authority to direct and control the county attorneys (who are elected officials) in the handling of criminal cases, this authority has been used sparingly. The AG, however, can direct a county attorney to nolle prosequi a case or to take over a case being handled by the AG's office. The county attorneys represent the Attorney General in criminal cases when the AG is not present in the Superior Court.

The AG's office cannot direct the county attorneys to install specific computer systems. However, the Director of Administration believes that the county attorneys would be willing to follow the lead of the AG's office in the automation area.

The AG's Office has 47 Assistant Attorney Generals (AAGs), but only about one-third of these are assigned full-time to criminal cases. The AG's Office also controls all of the federal criminal justice funds allocated to New Hampshire by the U.S. Department of Justice.

In addition to the county attorneys, New Hampshire has a small number of attorneys who handle prosecutions at the District Courts in cities such as Concord and Manchester. These prosecutors are ultimately responsible to the AG, but most direct supervision is provided by the county attorney.

1.1 Current Automation

The Attorney General's Office currently has a Wang VS-7120 mid-size computer located at its main office in Concord. A number of PCs, dumb terminals and printers are connected to the Wang. The AG's Office is dissatisfied with its current system for a number of reasons, including:

- o the lack of networking and interfaces with other state agencies and other facilities of the AG's office,
- o the system's very limited management reporting capability, and
- o the limited functionality of the home-grown software.

The current automated system is also not very sophisticated. It is used to capture basic data on the defendant, the venue of the criminal proceedings, the opposing counsel, a brief narrative on the offense, and data on the investigation, prosecution, disposition, and sentencing. The system also includes a tracking component to ensure that court appearances are made.

The AG's Office has appointed a Senior Management Committee to develop a Strategic Plan for Information Technology. This plan is due to be completed by the end of the summer. The focus of the plan will be to develop a variety of networks within the AG's headquarters building and with other AG facilities and to promote communications with the AG's client agencies and opposing counsel. The headquarters building has already been wired for this purpose. OITM will be assigning a staff person to address the automation needs of the AG's Office. The AG's Office has put in a capital budget request to replace the Wang with new equipment.

The AG's Office is planning to standardize on WordPerfect 6.0 for word processing and Quattro Pro as its spreadsheet application. The AG is also planning to borrow a Time and Billing system from a local major law firm. This will be used to track the time spent by staff on criminal and civil cases and to compute litigation costs.

The Director of Administration did not have information on the automation of the individual county attorney offices. He believed, however, that only the four largest counties (Hillsborough, Rockingham, Merrimack and Strafford) probably had automated systems to

handle case management functions. Most of the other county attorneys are 2-3 person operations and probably have only word processing. MAXIMUS will obtain systematic information on the automation of the county attorneys during Phase II of the project.

1.2 Interfaces with Other Criminal Justice Agencies and the Courts

The primary interfaces between the Attorney General's Office and other agencies and the courts are described below.

1.2.1 Interface with the Central Repository

The AAGs request a criminal record for all defendants in their cases, as well as a criminal record for all persons on the juror's list. A written request is sent to the Central Repository. The AG's Office has a SPOTS terminal.

The AG's Office does not need a certified copy of the criminal records because the information is used only as part of a criminal investigation and for making a charging decision. Pre-Sentence Investigations (PSIs) in the AG's cases are done by the DOC Division of Field Services. However, the AAGs make sentence recommendations based on the PSI report.

1.2.2 Interface with Law Enforcement Agencies

The AG's office is notified directly by local law enforcement agencies of all intentional homicides, and arrests must be approved by the AG's Office. An AAG is typically assigned to visit the crime scene and conduct the investigation. The local law enforcement agency provides the AAG with detailed information about the case at this time.

The AAGs are then responsible for prosecuting the cases, from arraignment to appeal. There is also a Drug Task Force that operates out of the AG's Office and that works with law enforcement agencies on high-level drug offenses.

The specialized prosecution units within the AG's Office focus their enforcement efforts on conspiracy offenses or cases requiring the use of extensive grand jury process or

court-ordered electronic surveillance. These cases necessarily often involve the prosecutors at the investigative phase.

1.2.3 Interface with the Courts

When a Superior Court is planning to hold a hearing on one of the AG's cases, the AG's office receives a piece of paper from the court to this effect. The AG's office has no automated access to any of the courts' scheduling systems (for example, through SUSTAIN).

With regard to dispositions, the AAGs automatically obtain the information they need when they are at the court for the hearings and trials. The AAGs then fill out a form to record the disposition information and provide this form to a clerical staff person at AG headquarters for keying into the automated system. The local courts maintain the complete paperwork associated with each case.

However, in the types of cases handled by the AG's office, there are usually many appeals and motions after a conviction has been obtained. The AG's Office has to be notified by the local courts of these appeals and motions through manual procedures. Often, the AG's office receives a courtesy copy of the appeals and motions from the defendant's counsel.

Witness costs are another key interface area with the courts. The AG's Office is responsible for paying the witnesses who appear in all criminal cases statewide. Currently, all of the information on witnesses is transmitted to the AG's Office on paper forms by the individual courts. Automation of this function would be very helpful, according to the Director of Administration.

In terms of automated interfaces, improving the interface with the courts was ranked as the most important from the AG's perspective.

1.2.4 Interface with Probation and Parole

The AG's office does not get involved in parole issues or in monitoring the probation of offenders.

2. COUNTY ATTORNEYS

To obtain information on the current automation and interfaces of a typical large county attorney's office, MAXIMUS conducted site visits to the Merrimack County Attorney's Office in Concord. The Merrimack County Attorney's Office has six Assistant County Attorneys (ACAs) assigned to criminal cases. The agency also has two Victim-Witness Coordinators whose responsibility includes notifying victims and witnesses of the status of cases.

2.1 Current Automation of the Merrimack County Attorney's Office

In 1987, the County Attorney's Office acquired a software system called "D.A.'s Assistant" which is a prosecutor's management support system. In terms of hardware, the agency has a PC-based LAN system with a 386 PC server. The system is not connected to the courts or other agencies.

The agency is not satisfied with its current system because of limited functionality. It is difficult to merge the database with the agency's word processing system for such purposes as correspondence.

For example, the agency's two Victim-Witness Coordinators have to send approximately 150 letters per week to victims and witnesses for trial notifications and other matters. The current system allows for certain information in the database to be merged with word processing. This is done through a conversion process. This process is not easily performed and is time-consuming. It is less complicated and less time-consuming just to duplicate the information, re-entering it directly into word processing. The agency wishes to acquire a document-driven system that will automatically extract the names of victims and witnesses and merge them into documents. In addition, the current system is inadequate for creating subpoenas. The system simply generates a list of the names of persons to whom subpoenas should be sent.

The agency is currently assessing alternative systems. One of these is the JALAN package, which is an IBM program designed to run on an AS-400. The JALAN system reportedly has the capacity to be integrated with the courts and law enforcement agencies.

2.2 Interfaces Between the Merrimack County Attorney's Office and Other Criminal Justice Entities

The primary interfaces between the Merrimack County Attorney's Office and other criminal justice entities are described below.

2.2.1 Interface with Law Enforcement Agencies

When a case is referred to the County Attorney by a local arresting agency, the County Attorney prefers that the case be sent in on the Felony Case Referral Sheet (see copy in the Appendix). Police Departments are asked to fill out the sheet, and the secretaries at the County Attorney's Office use the sheet to establish the case on the automated database. If the criminal record is not included in the initial case referral information, the County Attorney must request certified copies of each record from the CR.

In addition to the Referral Sheet, the local police departments send the following materials:

- o a copy of the Complaint;
- o a copy of the Arrest Report;
- o copies of the bail paperwork;
- o a copy of the search warrant (if used);
- o a copy of the affidavit for the arrest; and
- o evidence, investigation reports, and statements of witnesses.

The package submitted to the County Attorney's Office by law enforcement agencies is the preliminary material which is reviewed by an Assistant County Attorney (ACA) to determine whether there is sufficient evidence for indictment, further investigation required, or other recourse. If indictment is sought, it is presented to the Grand Jury and, if found to be a true bill, the indictment is filed with the Superior Court.

When the Referral Sheet is received, the agency opens up a case on its automated system, using a unique in-house ID number for each case. The agency does not use the TN assigned by the police department. For security reasons, the agency's in-house number is not the same as the docket number used by the courts.

In establishing the case on its automated system, the agency enters such information as the arresting agency, the jurisdiction, case type, case level, case status (for example, open, closed, pre-indictment, pre-investigation), authorized charge, date of offense, date of arrest, bail status, custody status, attorney assigned, and defendant information. The systems's Event Screen is used for case tracking and scheduling (including arraignment, trial, pleadings, motions, hearings, sentencing and other events).

2.2.2 Interface with the Central Repository

The County Attorney's Office needs to obtain certified copies of criminal records if the records are going to be introduced in court. The agency uses a form letter produced from its word processing system to request the criminal records from the Central Repository. The certified criminal records are used mostly for sentencing purposes, not usually for the charging process. Criminal records are also requested immediately if there is a bail issue.

If the case involves a "DWI Subsequent," Habitual Offender, Felon in Possession, Enhanced Drug Offense, or any other case where the prior conviction is an element of the charge, the County Attorney must request the certified copies of the conviction immediately, as this information is needed in drawing up the charges. In habitual offender cases, the motor vehicle habitual offender certification documents are needed for charging purposes. New Hampshire criminal records are requested to determine if there are prior convictions, and New Hampshire Motor Vehicle records are requested to determine if Habitual Offender paperwork or other relevant paperwork is needed.

The County Attorney's Office also requests non-certified copies of criminal records for all potential jurors. Once per month, the agency draws up a new petit jury panel. This results in about 50 requests per month for non-certified criminal records.

Mailing the requests for criminal records from the CR does not always fit the time constraints, so it is not unusual for County Attorney staff to hand deliver a written request for records and to arrange for same-day retrieval of this information.

The Central Repository is used to obtain certified and non-certified copies of New Hampshire Motor Vehicle and Criminal Records. NCIC Triple I checks for criminal records

are obtained from the Sheriff's Department. If the NCIC Triple I check indicates that the defendant has a conviction in another state, the County Attorney has to contact the other state to obtain a certified copy of the criminal record.

2.2.3 Interface with the District Courts

All felony cases that result from an arrest are scheduled for arraignment in District Court. If the defendant has waived probable cause or if a finding of probable cause is made by the District Court, the complaint is forwarded to the County Attorney in an initial referral package. The County Attorney also receives appeal cases from the District Courts. Felony cases in which an arrest has not been made are arraigned at the Superior Court following indictment.

2.2.4 Interface with the Superior Court

The County Attorney's Office does not have any automated interface with the Merrimack County Superior Court in terms of transmitting information on case scheduling, case processing, dispositions, or other activities. After a case has been indicted and filed with the Superior Court, the County Attorney receives a series of hard copy Hearing Notices from the Superior Court, which provide information on the defendant's name, docket number, pre-trial date, trial date, and other activities. This information is then key-entered by the clerical staff onto the County Attorney's automated database.

The County Attorney's Office then produces a manual Docket Board showing the hearings for the next ten weeks. Docket sheets are posted on the walls for review by the Assistant County Attorneys. Photocopies of the Hearing Notices are then sent to the Victim-Witness Coordinators to notify victims and witnesses of upcoming hearings and trial dates. A copy is also made for the Assistant County Attorney assigned to the case for inclusion in his/her Day Book.

At the time of disposition, the County Attorney receives a hard copy "Return From Superior Court" (or MITTIMUS). The information on the disposition is then keyed onto the County Attorney's database. The clerical staff pull up the case on the system, go to the

Sentence Screen, and enter the data on the type of sentence (for example, incarceration, probation, or fine), the sentencing date, the length of the sentence, the amount of the fine or restitution, and other data.

The disposition information is promptly sent to the County Attorney's office by the Superior Court. Due to the volume of paperwork processed daily by the County Attorney's Office, it is not always possible to enter the disposition data promptly onto their automated system. This results in a small backlog in data entry and frustration when producing current reports on case dispositions. If the JALAN system (or an equivalent system) is implemented, it is hoped that consideration will be given to developing an automated interface with the courts for the transmittal of disposition data and the sharing of other relevant case information.

Finally, upon receipt of the disposition, the Victim-Witness Coordinator contacts the victim by letter, or by both letter and telephone, to notify the victim of the case disposition and sentence information if applicable.

2.2.5 Interface with the Department of Corrections

The interfaces between the County Attorney and the State of New Hampshire Department of Corrections are manual in nature. At the pre-sentence stage, the Probation Officer who is preparing the PSI will be given a photocopy of the County Attorney's case file for the offender. The documents that are photocopied include the discovery side of the file, as well as the Indictment/Complaint, the Referral Sheet, the Arrest Report, and other documents. After the PSI has been completed, the PSI report is sent to the court, where the ACA may review it.

Another interface with DOC involves cases in which a sentence reduction motion has been filed. The County Attorney requests information on the defendant, such as disciplinary history while incarcerated, and the amount of good time accumulated.

An additional interface with DOC involves parole hearings and releases. Under state law, the victim must be informed of upcoming parole hearings and releases. The DOC

notifies the County Attorney of releases through a manual listing. The County Attorney's Office (Victim-Witness Coordinator) then notifies the victim of parole hearings and releases.

The County Attorney also receives lists from the Merrimack County jail of persons who are incarcerated pre-trial and a summary list of post-sentence inmates. This list is mailed or hand-delivered by carrier.

E. DEPARTMENT OF CORRECTIONS (DOC)

This section presents an overview of the current and planned automation of the Department of Corrections, including the State Prison and the Division of Field Services. In addition, the existing interfaces with other criminal justices agencies and the courts are evaluated.

1. STATE PRISON

The State Prison in Concord currently houses slightly more than 2,000 offenders who have been sentenced for felonies.

1.1 Current Automation

The Department of Corrections is in the process of implementing an automated system to process and store information on offenders sentenced to the State Prison. Currently, the only automation that exists at the State Prison is a small system that produces a weekly roster of inmates, including name, cell number, admission date, and a few other items.

The new system will automate the Offender Records Office at the prison and will cover such information as sentences, offender information, jurisdiction, admission date and a large array of other information. The system will also compute release dates and provide a variety of management reporting options.

The system will be installed on a BULL DPX 20-610 mid-size computer with 64 megabytes of RAM. The computer is actually an IBM product with a BULL sticker. It will operate on IBM's AIX operating system (which is IBM's version of UNIX):

The computer has already been purchased and is situated at the State Prison. About a dozen dumb terminals and at least six PCs will be connected to the computer but these are not yet operational. Currently, the terminals and PCs are operational for word processing and spreadsheets but not for applications systems.

The system will use the INFORMIX relational database management system. The applications software will be a customized version of Base Software, Inc.'s Jail Management System package. This package is currently being used by a number of counties in Massachusetts. The primary functions of the "offender records" component of this software include:

- o sentence management;
- o event data, such as classification changes;
- o housing assignments;
- o inmate payroll; and
- o basic crime information, including the New Hampshire RSA code.

The system will capture or compute information on the demographics and physical characteristics of inmates, sentence dates, sentence length, good time earned, disciplinary days, minimum sentence before parole, and other variables. The system will also include an automated tickler to notify DOC officials of upcoming release dates and parole hearings. The data on current inmates will be converted to the new system using part-time Data Entry Operators.

At the current time, a large amount of information is collected on each new inmate when the inmate arrives at the State Prison's Reception and Diagnostic Center. The inmate is interviewed by a correctional officer using an Initial Intake Form. This information includes such items as physical characteristics, ethnicity, marital status, previous address and other items. Most of this information will be entered onto the new system when it is operational, although the information is not verified.

DOC is planning to implement the new system in December 1994. However, delays are possible because of the extensive modifications that are being made to the applications software. The system will only cover inmates, not persons on probation. However, it is hoped that data on parolees will be merged with the new system. The data on parolees is currently maintained by the DOC Division of Field Services on a BULL mainframe at the Department of Health and Human Services (see below). The problem will be to transfer the data from the DPS 90 system to UNIX.

Although DOC will be introducing the new system later this year, there are currently no plans to provide other criminal justice agencies with access to the system or to develop any automated interfaces with other agencies. Nor is DOC planning to capture Tracking Numbers (TNs) on the new system since they have not been advised on this issue. However, space is available for including a TN on the system. The state prison, however, does not receive a copy of the criminal Complaint, only the Order from Superior Court.

Under the new system, each offender will be given a permanent ID number. This will replace the current procedure where inmates are given new ID numbers each time they are returned to prison for parole violations.

When the new system was originally being planned, DOC was intending to include the Division of Field Services in the system. However, the projected costs for the fully integrated system were in excess of funds available, so the plan had to be amended to exclude the Division of Field Services.

1.2 Interfaces with Other Agencies and the Courts

The primary interfaces between the State Prison and other criminal justice agencies are described below.

1.2.1 Interface with the Courts

The current interfaces are manual. When an offender is sentenced to State Prison they are sent with the MITTIMUS and the Presentence Investigation (PSI) Report. The sentence is then manually computed. The Offender Records Unit at the prison completes a

number of forms and sets up a manual case record for each inmate. After the inmate is sentenced, the State Prison receives very few requests for information from the courts.

1.2.2 Interface with the Parole Board and the Division of Field Services

The Offender Records Unit at the State Prison is responsible for ensuring that inmates are scheduled for the Parole Board hearings on their eligibility dates. The Parole Board itself, however, is responsible for handling all subsequent processing of the inmates with regard to the parole hearing, including:

- o publishing notices of upcoming hearings, and
- o notifying the Central Repository of any releases on parole.

An inmate who is eligible for parole goes before the Parole Board two months before becoming eligible for parole. The Offender Records Unit uses manual procedures to identify the inmates who must be scheduled for parole hearings during specific time periods. It is hoped that the new system will perform this function automatically.

When an inmate is scheduled for a parole hearing, the Parole Board is given the inmate's file by the Offender Records Unit. The Parole Board staff then make copies of the file contents, including:

- o the Pre-Sentence Investigation report,
- o the NCIC rap sheet,
- o information on the institutional behavior of the inmate,
- o verification of work and residence,
- o counselor input,
- o treatment programs completed, and
- o the parole plan.

The Parole Board staff also maintain their own files on each inmate. These files are sent down to the district field office (probation and parole) in the district where the paroled inmate will be living. The Parole Board staff also make copies of the files for the three members of the Parole Board.

1.2.3 Interface with the Local Victim-Witness Coordinators

The Offender Records Unit is responsible for notifying the county Victim-Witness Coordinators of releases involving the expiration of sentences or court-ordered releases, while the Parole Board is responsible for notifying the Coordinators of all parole releases. These notifications are currently conducted manually. A manual tickler system is used by the Offender Records Unit to identify the upcoming sentence expiration releases, and the Coordinators are then notified by telephone. There are plans to automate the tickler system, but not the notification process, in the new DOC automated system.

1.2.4 Interface with the Central Repository

There are currently no plans to develop an automated interface with the Central Repository when the new DOC system is installed. The Offender Records staff currently request a rap sheet from the FBI on all new inmates at the time of intake. In addition, all new inmates are fingerprinted at the State Prison. A total of five fingerprint cards are produced for each inmate. One of these is sent to the FBI, who sends back a rap sheet. Four of the cards are sent to the Central Repository, but a rap sheet is not requested because DOC already has a rap sheet from the Central Repository as part of the Presentence Investigation. The State Prison gets one of the fingerprint cards back from the Central Repository with a classification.

1.2.5 Interface with the Attorney General's Office

The State Prison receives an estimated 4-5 requests for information each month from the Attorney General's Office for information on cases where an inmate has filed a writ of habeas corpus. The writ may involve the length of the sentence, good time, or medical issues. The Offender Records Unit researches the case record and transmits the requested information manually to the Attorney General's Office.

1.2.6 Interface with the County Attorneys

Under New Hampshire law, inmates can file for a sentence reduction after serving two years. If an inmate files a motion for sentence reduction, the County Attorney in the appropriate jurisdiction is notified. The County Attorney then asks the Offender Records Unit for a "court synopsis" of the offender's case file. Based on this synopsis, the Warden makes a recommendation to the court. It was estimated that the Offender Records Unit prepares between 12 and 15 court synopses per week. The information is transmitted manually to the County Attorneys.

2. DIVISION OF FIELD SERVICES (PROBATION AND PAROLE)

The DOC's Division of Field Services has two primary functions:

- o conducting Pre-Sentence Investigations, and
- o supervising offenders on probation or parole.

The Division has a District Office in each county, except that there are two District Offices in both Hillsborough and Rockingham counties, for a total of 12 offices. There is also a High Intensity Supervision Unit that supervises (1) offenders who are under intensive supervision, and (2) the electronic monitoring cases statewide. Each District Officer has a Chief Probation Officer. There are currently a total of 57 Probation/Parole Officers statewide. The District Offices are also responsible for collecting criminal fines in cases where offenders have been placed on probation.

The current caseload of the Division includes about 4,100 persons on probation, about 800 parolees, and about 200 persons in bail supervision. There are about 800 interstate cases, involving (1) New Hampshire offenders living in other states, and (2) offenders from other states living in New Hampshire. The latter cases are monitored by the Division on its automated system.

2.1 Current Automation

The Division has its own automated system that runs on the BULL computer housed at the Department of Health and Human Services. The information on the system is keyed in at the District Offices. The system contains basic case information on each offender, including name, address, identifying information, demographics, type of offense, restitution orders, fines, payment plans, name of the Probation/Parole Officer, supervision level, active violations, violent v. non-violent offender, probation/parole terms and conditions, and other items.

The system generates caseload reports on types of cases, collections (restitution, fines and fees), and other items. The system also generates the following specific management reports:

- o master alpha list of current offenders on probation or parole;
- o city/town caseload report for distribution to local police departments (see below);
- o an Investigations Report listing the offenders who have been investigated by the Division for PSIs or for pre-parole investigations;
- o workload reports;
- o Action Due Report, listing persons who are to be terminated from probation or parole or whose cases are to be reviewed for supervision classification;
- o financial report of arrearages on criminal fines;
- o a Termination Report listing persons who have been terminated from the Division's jurisdiction; and
- o Interstate Compact reports listing persons whom the Division is supervising for other states and vice versa.

The District Offices have PCs which are hooked up to the BULL through land line communications. The Division pays a monthly fee to HHS for use of the computer. The monthly cost has been increasing because other state agencies have been discontinuing their use of the HHS mainframe.

Clerical staff at the District Offices use the PCs to enter new cases and to update the cases based on such events as violations and transfers. The Probation/Parole Officers fill out

forms and provide the forms to the clerical staff for key entry. The information that has been entered by the District Offices is integrated immediately into the existing database.

The District Offices also have an inquiry capability and E-mail. Each of the District Offices can review all probation and parole cases statewide but can make changes only to its own cases. No other criminal justice agencies have access to the Division's automated system.

There are a number of limitations to the current automated system, from the Division's own perspective. First, it has a very limited ad hoc management reporting capacity. The staff have to design special reports and ask the Division's programmers to prepare coding to run the data. This often takes several days.

Second, much of the information available from the system can be accessed only by entering the names of offenders on a case-by-case basis. Third, the system is not user-friendly or state-of-the art (the system was developed about 15 years ago).

Finally, the system does not allow real-time access to ad hoc management reports for special analyses.

In terms of future automation plans, the Division may either acquire its own processing hardware instead of the HHS mainframe, or may investigate the option of linking with the State Prison's new system or the local Superior Court's system. The Division has requested a \$2.7 million capital improvement budget for the 1995-96 biennium, but is not sure how much money will actually be appropriated.

The Division supports the concept of an integrated criminal justice information system in which the District Offices and Central Office would have ready access to a variety of information maintained by other criminal justice agencies.

2.2 Interfaces with Other Criminal Justice agencies and the Courts

The Division's primary interfaces with other agencies are described below.

2.2.1 Interface with the Central Repository

Criminal record checks are used by the Division to help arrive at the recommendations contained in the Pre-Sentence Investigations. The PSIs are conducted by the District Offices. In addition, criminal records checks may be conducted in the case of offenders who are on parole or probation and who have relocated to Hew Hampshire.

The information in the criminal records is later used by the District Offices to assign a Supervision Contact Standard to each offender. For example, offenders with lengthy criminal records may be assigned a high level of supervision based on projected risk. Criminal record information is also used to make "early termination decisions." Each case has benchmarks where an early termination of probation or parole may be considered. Records checks are conducted as part of making these decisions.

The headquarters office of the Division has a SPOTS terminal and conducts most of its records checks through this terminal. None of the District Offices has a SPOTS terminal, so that requests for criminal records information have to be routed through the central office. However, some District Offices are able to use SPOTS terminals at local law enforcement agencies.

For PSIs, the District Offices have to complete a standard form and mail it to the central office to make a request for criminal records information. This is the form that is used to request a NCIC check. The resulting information is then mailed back to the District Office. The Division also conducts criminal record checks on all new hires,

The Division sends a letter once per month to the Central Repository on all persons who have been paroled in the preceding month. The respondents were unsure whether the Central Repository is routinely informed by the District Offices about probation and parole revocations.

2.2.2 Interface with Law Enforcement Agencies

Law enforcement agencies do not have access to the Division's automated system to find out if an arrestee is on probation or parole. Instead, the Division conducts a computer run every 30 days on its current caseload.

The hard copy printouts are sent to the District Offices, which then distribute hard copy listings to each local police department. Some police departments (such as the Manchester Police Department) then key enter this data onto their automated systems, and the information can be automatically called up to alert dispatchers to the fact that a probation or parole client is involved.

Most police departments, however, simply conduct a visual cross-check of the lists to determine if an arrestee is on probation or parole. It is important for the local police departments to know the arrestee's probation or parole status so that they are not released on bail until the Division has had the opportunity to decide whether they should be detained pending subsequent violation proceedings.

As a recent refinement, the Division has developed an agreement with DOS and the Department of Motor Vehicles (DMV) to establish a data link with the Division's network. On a weekly basis, the Division creates a tape of all active offenders on probation or parole and hand carries the tape to the DMV, which downloads the data into its automated system. With this approach, a police officer who stops someone for a vehicle check can find out if the person is on probation or parole. This system has only been in place for one or two weeks.

If a person on probation or parole is arrested, the appropriate District Office is usually notified by the arresting agency by telephone.

2.2.3 Interface with the Courts and Prosecutors

The Division is responsible for supervising bail status for certain defendants. The Division's current caseload of bail cases is about 200.

With regard to Pre-Sentence Investigations, the court notifies the District Office that a PSI is necessary. This is accomplished by sending a hard copy form indicating that the defendant has been convicted or has plead guilty. The District Office has 30-45 days to prepare the PSI.

The Division receives all of the probation cases from the local courts. The local District Offices receive a form from the local courts stating the terms of the probation sentence.

The District Offices make the decision whether to recommend a probation or parole violation in the event of a re-arrest or other violation. In the event of a probation violation, the case must be referred to the appropriate County Attorney for prosecution and to the court for a decision. The District Office transmits the paperwork to the county attorney and to the court. This process involves photocopying of case documents and manual transmittal of the copies. The District Office also updates the Division's automated system to reflect this action. The courts and county jails update their own automated systems to reflect the action.

If a bench warrant (capias) is issued for an offender who has violated probation, the county sheriff enters the information on SPOTS. In the case of parolees, the Division itself enters the information on SPOTS.

2.2.4 Interface with the Parole Board

If a District Office wishes to revoke parole, the case must be referred to the Parole Board for a hearing. This process is handled manually. The Executive Assistant of the Parole Board does all of the scheduling of revocation hearings, which are conducted at the State Prison. The revocation hearings must be conducted within 30 days of the arrest. The Board meets once every two weeks.

The Parole Board does not have its own automated system, except for word processing and simple case tracking. The Parole Board is not linked to the Division's automated system. In the case of a parole revocation, the Probation/Parole Officer at the District Office prepares the paperwork for the Parole Board, including the offender's

criminal record and details of the current violation. This information is transmitted manually to the Parole Board.